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By:

Susan J. Johnson

PATENT

Attorney Docket No.: 15270J-004741US

Client Reference No.: 209-US-CIP5C1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Dale B. Schenk

Application No.: 09/723,713

Filed: November 27, 2000

For: PREVENTION AND TREATMENT  
OF AMYLOIDOGENIC DISEASE

Examiner: Anne Marie Sabrina Wehbe

Art Unit: 1632

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO/SB/08A and PTO/SB/08B forms are being called to the attention of the Examiner. In accordance with 37 CFR §1.98(d), copies of the non U.S. Patent references can be found in Application No. 09/322,289, filed May 28, 1999 (Attorney Docket No. 15270J-004740US). It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Applicant also cites commonly owned copending applications directed to related subject matter:

09/201,430 filed 11/30/98 issued as U.S. 6,787,523 on 09/07/04;

09/497,553 filed 02/03/00;  
09/724,477 filed 11/28/00 issued as U.S. 6,787,143 on 09/07/04;  
09/723,927 filed 11/28/00 issued as U.S. 6,787,138 on 09/07/04;  
09/723,762 filed 11/28/00 issued as U.S. 6,787,144 on 09/07/04;  
09/724,102 filed 11/28/00 issued as U.S. 6,787,139 on 09/07/04;  
09/724,489 filed 11/28/00 issued as U.S. 6,787,140 on 09/07/04;  
10/816,022 filed 03/31/04 issued as U.S. 6,866,850 on 03/15/05;  
10/816,529 filed 03/31/04 issued as U.S. 6,818,218 on 11/16/04;  
10/815,391 filed 03/31/04 issued as U.S. 6,866,849 on 03/15/05;  
10/934,818 filed 09/02/04;  
10/934,609 filed 09/02/04 issue fee paid 01/24/05;  
10/933,559 filed 09/02/04 issue fee paid 01/24/05;  
10/934,819 filed 09/02/04;  
10/815,353 filed 03/31/04 issued as U.S. 6,808,712 on 10/26/04;  
10/816,380 filed 03/31/04 issue fee paid 01/24/05;  
10/815,404 filed 03/31/04 issue fee paid 11/12/04;  
09/322,289 filed 05/28/99;  
09/723,713 filed 11/27/00;  
09/723,760 filed 11/27/00;  
09/724,319 filed 11/27/00;  
09/723,384 filed 11/27/00 issued as U.S. 6,710,226 on 03/23/04;  
09/724,495 filed 11/27/00;  
10/788,666 filed 02/27/04;  
10/429,216 filed 05/30/03;  
10/828,548 filed 04/19/04;  
10/923,471 filed 08/20/04;  
10/923,474 filed 08/20/04;  
10/928,926 filed 08/27/04;  
10/923,605 filed 08/20/04;  
10/923,267 filed 08/20/04;

10/923,469 filed 08/20/04;  
09/580,015 filed 05/26/00;  
09/724,940 filed 11/28/00 issue fee paid 11/12/04;  
09/724,961 filed 11/28/00 issued as U.S. 6,743,427 on 06/01/04;  
09/580,018 filed 05/26/00 issued as U.S. 6,761,888 on 07/13/04;  
09/724,552 filed 11/28/00 issued as U.S. 6,750,324 on 06/15/04;  
09/723,544 filed 11/28/00;  
09/724,273 filed 11/28/00;  
09/724,551 filed 11/28/00 issued as U.S. 6,787,637 on 09/07/04;  
09/724,288 filed 11/28/00;  
10/777,792 filed 02/11/04;  
10/890,024 filed 04/12/04;  
10/889,999 filed 04/12/04;  
10/890,000 filed 07/12/04;  
10/890,070 filed 07/12/04;  
10/890,071 filed 07/12/04;  
09/580,019 filed 05/26/00;  
09/723,765 filed 11/28/00;  
09/724,291 filed 11/28/00;  
10/822,968 filed 04/12/04;  
09/724,929 filed 11/28/00;  
09/724,567 filed 11/28/00 issued as U.S. 6,890,535 on 05/10/05;  
09/724,575 filed 11/28/00;  
09/724,953 filed 11/28/00 issued as U.S. 6,875,434 on 04/05/05;  
09/724,570 filed 11/28/00 issue fee paid 02/10/05;  
09/585,656 filed 06/01/00;  
09/723,766 filed 11/27/00;  
09/723,725 filed 11/27/00;  
09/579,690 filed 05/26/00;  
09/979,701 filed 03/13/01 (U.S. Nat'l Stage of PCT/US00/14810 filed 05/26/00);

09/979,952 filed 04/09/02 (U.S. Nat'l Stage of PCT/US00/15239 filed 06/01/00);  
issued as U.S. 6,913,745 on 07/05/05; and,

09/980,568 filed 03/12/02 (U.S. Nat'l Stage of PCT/US00/15302 filed 06/01/00).

Applicant also cites the following copending applications directed to related  
subject matter but subject to different assignment:

10/010,942 filed 12/06/01;  
10/789,273 filed 02/27/04;  
10/232,030 filed 08/30/02;  
10/010,942 filed 12/06/01;  
10/388,389 filed 03/12/03;  
10/703,713 filed 11/07/03;  
10/704,070 filed 11/07/03;  
10/388,214 filed 03/12/03;  
10/858,855 filed 06/01/04;  
10/771,174 filed 02/04/04.  
60/622,525 filed 10/26/04;  
60/636,684 filed 12/15/04;  
60/636,842 filed 12/15/04;  
60/637,253 filed 12/16/04;  
60/636,810 filed 12/15/04;  
60/637,138 filed 12/16/04;  
60/636,776 filed 12/15/04;  
60/636,687 filed 12/15/04.

Applicant further cites the following commonly owned abandoned applications  
directed to related subject matter:

60/067,740 filed 12/02/97;  
60/080,970 filed 04/07/98;  
60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;

09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00;  
09/724,929 filed 11/28/00;  
60/137,010 filed 06/01/99;  
60/251,892 filed 12/06/00;  
60/137,047 filed 06/01/99;  
60/136,655 filed 05/28/99; and  
09/723,544 filed 11/28/00.

Applicant also cites the following abandoned application directed to related subject matter but subject to different assignment:

60/251,892 filed 12/06/00;  
60/474,654 filed 05/30/03;  
60/530,481 filed 12/17/03;  
60/444,150 filed 02/01/03; and,  
60/363,751 filed 03/12/02.

Applicant points out that the following applications are now commonly assigned but were previously subject to different assignment than the present application:

60/067,219 filed 12/03/97;  
60/079,697 filed 03/27/98;  
09/204,838 filed 12/03/98;  
09/724,921 filed 11/28/00; and,  
09/724,929 filed 11/28/00.

Applicant understands the Examiner can access papers from the prosecution of the cited cases electronically via PALM. However, if the Examiner has difficulty obtaining papers from that source he or she is invited to call the undersigned who will be happy to supply them.

As provided for by 37 CFR 1.97(g) and (h), no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant

information, and no inference should be made that the information and references cited are, or are considered to be material to patentability because they are in this statement. No inference should be made that the information and references cited are prior art merely because they are in this statement.

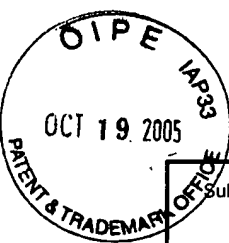
This IDS is being filed before the mailing date of the final Office Action or Notice of Allowance. Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Joe Liebeschuetz  
Reg. No. 37,505

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 650-326-2400  
Fax: 650-326-2422  
JOL:crf  
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|---|------------------------|-----------------|--------------------------|-------------------|
| <b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |                        |                 | <b>Complete if Known</b> |                   |
|   |                        |                 | Application Number       | 09/723,713        |
|   |                        |                 | Filing Date              | November 27, 2000 |
|   |                        |                 | First Named Inventor     | Schenk, Dale B.   |
|   |                        |                 | Art Unit                 | 1632              |
| Examiner Name   | Wehbe, A. M. S.        |                 |                          |                   |
| Sheet 1 of 6  | Attorney Docket Number | 15270J-004741US |                          |                   |

| U.S. PATENT DOCUMENTS+ |                          |  |                                |  |   |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner<br>Initials*  | Cite<br>No. <sup>1</sup> | Document Number                          | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|                        |                          | Number Kind Code <sup>2</sup> (if known) |                                |  |   |
|                        | 578                      | 6,875,434                                | 04-05-2005                     | Schenk   |   |
|                        | 577                      | 6,866,849                                | 03-15-2005                     | Schenk   |   |
|                        | 575                      | 6,866,850                                | 03-15-2005                     | Schenk   |   |
|                        | 576                      | 6,818,218                                | 11-16-2004                     | Schenk   |   |
|                        | 583                      | 2004/0265919 A1                          | 12-30-2004                     | Vanderstichlele et al.                             |   |
|                        | 581                      | 2004/0247612 A1                          | 12-09-2004                     | Wang   |   |
|                        | 582                      | 2004/0241164 A1                          | 12-02-2004                     | Bales et al.                                       |   |
|                        | 572                      | 6,761,888                                | 07-13-2004                     | Schenk   |   |
|                        | 573                      | 6,743,427                                | 06-01-2004                     | Schenk   |   |
|                        | 642                      | 5,702,906                                | 12-30-1997                     | Rosenthal  |   |
|                        | 584                      | 5,589,154                                | 12-31-1996                     | Anderson   |   |
|                        | 574                      | 5,576,184                                | 11-19-1996                     | Better et al.                                      |   |
|                        | 619                      | 5,530,101                                | 06-25-1996                     | Queen et al.                                       |   |
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|                        |                          |  |                                |  |   |

| FOREIGN PATENT DOCUMENTS |                          |                           |                     |                                   |                                |   |  |                |
|--------------------------|--------------------------|---------------------------|---------------------|-----------------------------------|--------------------------------|---|--|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document   |                     |                                   | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|                          |                          | Country Code <sup>3</sup> | Number <sup>4</sup> | Kind Code <sup>5</sup> (if known) |                                |   |  |                |
|                          | 585                      | WO                        | 04/080419           | A2                                | 09-23-2004                     |   |  |                |
|                          | 579                      | WO                        | 04/031400           | A2                                | 04-15-2004                     |   |  |                |
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|                          | 631                      | JP                        | 62-267297           | A                                 | 11-19-1987                     |   |  | abst.<br>only  |
|                          |                          |                           |                     |                                   |                                |   |  |                |
|                          |                          |                           |                     |                                   |                                |   |  |                |

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|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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| Substitute for form 1449B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                   |
|  |   |    |   | Application Number       | 09/723,713        |
|  |   |    |   | Filing Date              | November 27, 2000 |
|  |   |    |   | First Named Inventor     | Schenk, Dale B.   |
|  |   |    |   | Art Unit                 | 1632              |
|  |   |    |   | Examiner Name            | Wehbe, A. M. S.   |
| Sheet  | 2 | of | 6 | Attorney Docket Number   | 15270J-004741US   |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
|---------------------------------|--------------------------|---|----------------|
| Examiner<br>Initials *          | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 | 588                      | ANDERSON, J. P., "Exact cleavage site of Alzheimer amyloid precursor in neuronal PC-12 cells," <u>Neuroscience Letters</u> , 128(1):126-128 (1991).   |                |
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|                                 | 591                      | CHROMY et al., "Self-assembly of A $\beta$ (1-42) into globular neurotoxins," <u>Biochemistry</u> , 42(44):12749-12760 (2003).  |                |
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|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.



|   |   |    |   |                          |                   |
|---|---|----|---|--------------------------|-------------------|
| Substitute for form 1449B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                   |
|   |   |    |   | Application Number       | 09/723,713        |
|   |   |    |   | Filing Date              | November 27, 2000 |
|   |   |    |   | First Named Inventor     | Schenk, Dale B.   |
|   |   |    |   | Art Unit                 | 1632              |
|   |   |    |   | Examiner Name            | Wehbe, A. M. S.   |
| Sheet   | 3 | of | 6 | Attorney Docket Number   | 15270J-004741US   |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials *             | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|                                 | 599                   | ERIKSEN et al., "NSAIDs and enantiomers of flurbiprofen target $\gamma$ -secretase and lower A $\beta$ 42 in vivo," <u>J. Clin. Invest.</u> , 112(3):440-449 (2003).  |                |
|                                 | 600                   | FINDEIS, M. A., "Approaches to discovery and characterization of inhibitors of amyloid $\beta$ -peptide polymerization," <u>Biochem. Biophys. Acta</u> , 1502(1):76-84 (2000).  |                |
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|                                 | 634                   | Genbank Accession number AAB48800, "Anti-DNA immunoglobulin light chain IgG [Mus musculus]," 09/14/01.  |                |
|                                 | 635                   | Genbank Accession number CAA46659, "IgE antibody light chain(VJ)," 06/15/93.  |                |
|                                 | 636                   | Genbank Accession number X65775.1, "M.musculus DNA for IgE antibody light chain (VJ)," 06/15/93.  |                |
|                                 | 637                   | Genbank Accession number AAD26773, "Immunoglobulin heavy chain VH3609-JH3 region [Mus musculus]," 04/22/99.   |                |
|                                 | 604                   | GONG et al., "Alzheimer's disease-affected brain: presence of oligomeric A $\beta$ ligands (ADDLs) suggests a molecular basis for reversible memory loss," <u>PNAS</u> , 100(18):10417-10422 (2003).  |                |
|                                 | 605                   | GREENBERG et al., "Alzheimer disease's double-edged vaccine," <u>Nat. Med.</u> , 9(4):389-390 (2003).   |                |
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|                    |  |                 |  |
|--------------------|--|-----------------|--|
| Examiner Signature |  | Date Considered |  |
|--------------------|--|-----------------|--|

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|  |   |    |   |                          |                   |
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| Substitute for form 1449B/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>(use as many sheets as necessary) |   |    |   | <b>Complete if Known</b> |                   |
|  |   |    |   | Application Number       | 09/723,713        |
|  |   |    |   | Filing Date              | November 27, 2000 |
|  |   |    |   | First Named Inventor     | Schenk, Dale B.   |
|  |   |    |   | Art Unit                 | 1632              |
|  |   |    |   | Examiner Name            | Wehbe, A. M. S.   |
| Sheet  | 4 | of | 6 | Attorney Docket Number   | 15270J-004741US   |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |  |
|---------------------------------|--------------------------|---|----------------|--|
| Examiner<br>Initials *          | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |  |
|                                 | 607                      | HOCK et al., "Generation of antibodies specific for $\beta$ -amyloid by vaccination of patients with Alzheimer disease," <u>Nat. Med.</u> , 8(11):1270-1275 (2002).   |                |  |
|                                 | 608                      | IRIZARRY et al., "Alzheimer disease therapeutics," <u>J. Neuropathol. Exp. Neurol.</u> , 60(10):923-928 (2001).   |                |  |
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| Examiner<br>Signature |  | Date<br>Considered |  |
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|   |   |    |   | Application Number       | 09/723,713        |
|   |   |    |   | Filing Date              | November 27, 2000 |
|   |   |    |   | First Named Inventor     | Schenk, Dale B.   |
|   |   |    |   | Art Unit                 | 1632              |
|   |   |    |   | Examiner Name            | Wehbe, A. M. S.   |
| Sheet   | 5 | of | 6 | Attorney Docket Number   | 15270J-004741US   |

| NON PATENT LITERATURE DOCUMENTS |                       |   |                |
|---------------------------------|-----------------------|---|----------------|
| Examiner Initials *             | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.               | T <sup>2</sup> |
|                                 | 615                   | PALLITTO et al., "Recognition sequence design for peptidyl modulators of $\beta$ -amyloid aggregation and toxicity," <u>Biochemistry</u> , 38(12):3570-3578 (1999).   |                |
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